

7-1-77
Mailed

IN THE DISTRICT COURT WITHIN AND FOR
THE COUNTY OF PITKIN AND STATE OF COLORADO
Criminal Action No. C-1616

THE PEOPLE OF THE STATE
OF COLORADO,

Plaintiff

vs.

THEODORE ROBERT BUNDY,

Defendant.

MOTION FOR EXTENSION OF
TIME TO FILE BRIEFS

COMES NOW, People through Milton K. Blakey, Deputy District Attorney, moves this honorable Court for an extension of time in which to file briefs and as cause therefore, states as follows:

1. On June 23, 1977, defendant by his advisory counsel James F. Dumas Jr., Chief Deputy District Public Defender, filed a brief with the Court concerning the constitutionality of the death penalty, which brief exceeds one hundred pages in length. This brief was copy of the brief filed in the Supreme Court of Colorado in the case of People vs. Wildermuth. It was assumed that the Attorney General's Office had prepared a response brief in this case, however, contact with the Attorney General's Office has revealed that no brief was filed by the Attorney General in this case and that while there are several appeals pending which raises the issue of the constitutionality of the death penalty statutes that to date, no brief concerning this subject has been prepared by the Attorney General's Office. In conversation with other District Attorney's in Colorado including the Fourth Judicial District which has three death penalty cases on appeal, counsel has been unable to find a brief on this subject. It appears therefore, that a brief will have to be prepared for this Court from original research.

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O R D E R

THIS MATTER coming before the Court on Peoples
Motion For Extension of Time To File Briefs and the Court having
examined the Motion ex parte, finds that reasonable grounds
exist for granting said Motion and that no prejudice will result
to the defendant having granted said Motion.

IT IS THEREFORE ORDERED that the People file the
brief in opposition to the defendant's Motion for Bill of Parti-
culars not later than July 15, 1977 and the brief in opposition
to defendant's Motion to Strike Death Penalty not later than
July 29, 1977.

DONE in chambers this ____ day of June, 1977.

BY THE COURT:

District Court Judge